

REMARKS

Claims 1-6, 8-16 and 18-20 are pending in the present application. Applicants respectfully request reconsideration of the application in view of the remarks.

I. Rejections Under 35 U.S.C. § 102

Claims 1-6, 8-9, 13-16 and 18-20 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over *Boyd* (US 6,484,148), for the reasons set forth on pages 3-13 and of the Final Office Action.

Claims 1, 14 and 20 are the independent claims.

Claim 1 claims, *inter alia*, “displaying a first portion of the content according to a first rule of the two triggered rules” and “preventing the display of a second portion of the content according to a second rule of the two triggered rules.”

Boyd teaches using two conditions to determine whether to display a single piece of content (see column 13, lines 22-28). *Boyd* does not teach displaying a first portion of content according to a first rule and preventing the display of a second portion of the content according to a second rule, as essentially claimed in Claim 1. For example, *Boyd* teaches considering a first condition (e.g., that an ad be directed to men at least 35 years old and having an income greater than \$80,000) along with a second condition (e.g., that the ad be displayed during the winter months) to determine when to display a single piece of content (e.g. an ad relating to snow blowers) (see column 13, lines 22-28). This is not analogous to Claim 1, which uses two rules to determine which portion of the content to display and which portion of the content to prevent from being displayed.

Further and more generally, *Boyd* teaches positive conditions, which are conditions for displaying content; *Boyd* does not teach a negative condition or a condition that when detected prevents the display of content. The absence of a positive condition is not analogous to the presence of a negative condition; for example, the absence of a positive condition does not necessarily prevent the display of content if another condition is satisfied.

For at least the foregoing reasons *Boyd* fails to teach every limitation of Claim 1.

Claim 14 claims, *inter alia*, “displaying content according to each satisfied rule, wherein a first satisfied rule specifies that the radio frequency identification tag or the infrared tag be detected and a second satisfied rule specifies a certain demographic based on a product associated with the radio frequency identification tag or the infrared tag” and “determining a monetary charge based on the content displayed and a value associated with the satisfied rules which triggered the display of the content.”

Boyd teaches a ranking function to determine the optimal ad to display to two or more persons, wherein the optimal ad is determined by the advertising fees generated by displaying the advertisements and/or the strength of the match between the advertisement profile and the consumer profiles (see column 8, lines 46-51). *Boyd* does not teach determining a monetary charge based on the content displayed and a value associated with the satisfied rules which triggered the display of the content, as essentially claimed in Claim 14. Consider that *Boyd* merely ties advertising fees to the content of the ad, e.g., the ad is displayed and the fee associated with the ad is X; *Boyd* does not teach that fees are tied to satisfied rules which triggered the display of the content as claimed, e.g., the ad is displayed because of triggered rules A and B having fees X and Y. The claimed invention would allow for an increased fee for the

same content if multiple rules are satisfied, *Boyd* fails to teach an analogous method for charging fees based on rules for displaying content. Therefore, *Boyd* fails to teach every limitation of Claim 14.

Claim 20 claims, *inter alia*, “determining the fee dynamically for each display of the content according to value of the device parameters currently satisfying the triggered rule.”

The Examiner points to column 8, lines 23-65 of *Boyd* as teaching determining the fee dynamically for each display of the content according to value of the device parameters currently satisfying the triggered rule. Applicants respectfully disagree. Respectfully, *Boyd* teaches simultaneously receiving multiple signals and providing targeted advertisements based on the signal having the most attractive consumer profile, creating a composite profile based on a cross-section of multiple consumer profiles retrieved simultaneously, and performing a ranking function to determine the optimal ad to display to two or more persons (see column 8, lines 23-65). Nowhere does *Boyd* teach determining the fee dynamically for each display of the content according to value of the device parameters currently satisfying the triggered rule, as claimed in Claim 20. As discussed above, the fees of *Boyd* are static in that they are associated only with the act of displaying an ad (see column 8, lines 45-51); they do not change for a given ad and therefore are not dynamic, as essentially claimed in Claim 20. Therefore, *Boyd* fails to teach every limitation of Claim 20.

Therefore, for at least the reasons above, *Boyd* does not teach all of the limitations of Claims 1, 14 and 20. Applicants respectfully request that inasmuch as Claims 2-6, 8-9, 13, 15-16 and 18-19 are dependent on Claims 1, 14 and 20, and Claims 1, 14 and 20, as amended, are

patentable over *Boyd*, Claims 2-6, 8-9, 13, 15-16 and 18-19 are patentable as dependent on patentable independent claims. Reconsideration of the instant rejection is respectfully requested.

II. Rejections Under 35 U.S.C. § 103

Claims 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Boyd*, for the reasons set forth on pages 9-10 of the Office Action.

Claims 10-12 depend from Claim 1 and are believed to be patentable for at least the reasons given for Claim 1. Reconsideration of the instant rejection is respectfully requested.

CONCLUSION

For the forgoing reasons, the application, including Claims 1-6, 8-16 and 18-20, is believed to be in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

Respectfully submitted,

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